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UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

DALE E. LEFF and ESTATE OF NORMAN LEFF,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-04413 (SMB)

NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE OF ADVERSARY PROCEEDING

PLEASE TAKE NOTICE that Plaintiff Irving H. Picard (the "Trustee"), as trustee for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa–lll, and the substantively consolidated estate of Bernard L. Madoff, by and through his counsel Baker & Hostetler LLP, and pursuant to Rule 7041 of the Federal Rules of Bankruptcy Procedure (making Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure applicable in adversary proceedings), hereby dismisses the above-captioned adversary proceeding with prejudice. Pursuant to Bankruptcy Rule 7041, the Trustee is permitted to voluntarily dismiss this adversary proceeding without further order of the court by filing this Notice of Dismissal because, as of the date hereof, no opposing party has served either an answer or a motion for summary judgment.

Dated: September 21, 2016 New York, New York

By: /s/ Keith R. Murphy

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